U.S. Appln. No. 09/824,959   PATENT
Reply to Office Action dated May 5, 2005   450100-03143

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully

requested in view of the amendments and remarks herewith, which place the application into

condition for allowance. The present amendment is being made to facilitate prosecution.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 7-10 are pending. Claims 7, 9 and 10 are independent. Claims 1-6 and 11 are

canceled without prejudice or disclaimer of subject matter. Claims 7, 9 and 10 are amended.

Support for this amendment is provided throughout the Specification as originally filed and

specifically at page 18, lines 1-9 and FIG. 30. No new matter has been added. Changes to claims

are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103,

or §112. Rather, these changes are made simply for clarification and to round out the scope of

protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §101

Claims 6 and 11 were rejected under 35 U.S.C. §101 as allegedly directed to unpatentable

subject matter. Claims 6 and 11 have been canceled.

III. REJECTIONS UNDER 35 U.S.C. §102(e)

Claims 7 and 9-11 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S.

Patent No. 6,658,195 to Senshu et al. (hereinafter, merely "Senshu").

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Claim 1 recites, *inter alia*:

first obtaining means for obtaining first-group data, including video data, audio data, or search data, wherein the first-group data has a sector structure of a main data area storing said video data, said audio data, or said search data and a <u>sync block header identifying the type of the main data</u> . . .

synthesizing means for synthesizing the first-group data, the second-group data and the third group data such that they are <u>continuous without any space</u> disposed therebetween on a track in the magnetic tape; and

As understood by Applicants, Senshu discloses minimizing the <u>ratio</u> of an inter-track gap occupied in each track of a magnetic tape. Thus, in Senshu a gap is shown (FIGS. 3-5) between the tracks.

First, Senshu fails also to disclose, teach or suggest a <u>sync block header</u> to identify the type of data recorded in the main sector, as recited in claim 7. Second, Senshu fails to disclose synthesizing <u>track information</u> (third-group data) with first- and second-group data such that the data are <u>continuous without any space</u> or gap therebetween as recited in the claim.

The Office Action also cites U.S. Patent No. 6,496,646 to Ohta (hereinafter, merely Ohta) modified by Senshu against claim 10. However, Ohta does not add the elements missing from Senshu.

Applicants submit that claim 7 is not anticipated by Senshu because Senshu does not disclose each and every element of the present invention. In particular, Senshu does not disclose synthesizing of track information as continuous with other data and without a gap therebetween and does not disclose a sync block header to identify the type of data recorded in the main sector.

Independent claims 9 and 10 are similar in scope and are patentable for similar reasons.

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III. REJECTIONS UNDER 35 U.S.C. §103(a)

Claim 8 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Senshu in view of U.S. Patent No. 5,940,016 to Lee (hereinafter, merely "Lee"). Applicants respectfully traverse these grounds for rejection.

As understood by Applicants, Lee discloses a syntax parser for a video decoder for MPEG2. Lee fails to disclose the elements of claim 8 that are missing from Senshu, as discussed above.

Applicants submit that claim 8 is patentable over Senshu in view of Lee because neither Senshu nor Lee either alone or in combination teach or suggest each and every element recited in the claim. In particular, the references do not teach or suggest track information as continuous with other data and without a gap therebetween and do not teach or suggest a sync block header to identify the type of data recorded in the main sector.

Therefore, Applicants submit that independent claims 8 is patentable.

CONCLUSION

Claims 7-10 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

The Examiner's attention is directed to U.S. Application 09/817,515, which describes a related invention. Said '515 application is assigned to the assignee of this application 09/824,959.

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Please charge any additional fees that may be needed, and credit any overpayment, to our

Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in

this application are patentable and Applicants respectfully request early passage to issuance of

the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By: _William S. Frommer_
William S. Frommer
Reg. No. 25,506
212) 588-0800

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